

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILLIAM A. POU,)	8:09CV210
)	
Plaintiff,)	
)	
v.)	
)	
JOE STECHER, Jointly and)	MEMORANDUM
Severally, BRUCE GILLIAN, Jointly)	AND ORDER
and Severally, ROBERT L.)	
HOLMAN, Jointly and Severally,)	
PATRICK O'MEARA, Jointly and)	
Severally, and RONALD D.)	
LAHNERS, Jointly and Severally,)	
)	
Defendants.)	

This matter is before the court on its own motion. The above-captioned matter has been provisionally filed on June 25, 2009. (Filing No. [1](#).) However, due to certain technical defects, the Complaint cannot be further processed until such defects are corrected. To assure further consideration of the Complaint, the plaintiff must correct the defect listed below. **FAILURE TO CORRECT THE DEFECT WILL RESULT IN DISMISSAL OF THE PETITION.**

The plaintiff has failed to include the \$350.00 filing fee. The plaintiff has the choice of either tendering the \$350.00 fee to the clerk of the court or submitting a request to proceed in forma pauperis and an affidavit of poverty in support thereof. If the plaintiff chooses to proceed in forma pauperis, the enclosed pauper's forms should be completed and returned to this court. The plaintiff is cautioned that, if he is permitted to proceed in forma pauperis, he will still be required to pay the entire \$350.00 filing fee. However, he will be allowed to pay the filing fee in installments in accordance with [28 U.S.C. § 1915](#).*

IT IS THEREFORE ORDERED that:

1. the plaintiff is directed to correct the above-listed technical defect in the Complaint on or before July 23, 2009.
2. failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice.
3. the clerk of the court is directed to send to the plaintiff Form AO240, Application to Proceed Without Prepayment of Fees and Affidavit.
4. The clerk of the court is directed to set a pro se case management deadline in this matter with the following text: July 23, 2009: Check for IFP or payment.

Dated June 30, 2009.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge

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